

103D CONGRESS  
1ST SESSION

# S. 811

To incorporate environmental concerns into technology programs established in the National Institute of Standards and Technology, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 22 (legislative day, APRIL 19), 1993

Mr. KERRY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To incorporate environmental concerns into technology programs established in the National Institute of Standards and Technology, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act shall be referred to as the “Environmental  
5 Competitiveness Act of 1993”.

### 6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) The national policy of the United States de-  
9 clares that pollution should be prevented or reduced

1 at the source whenever feasible, prior to environ-  
2 mentally sound recycling, treatment, or landfilling.

3 (2) There are significant opportunities for in-  
4 dustry to reduce or prevent pollution at the source  
5 through cost-effective changes in production, oper-  
6 ation, and raw materials use.

7 (3) Such changes offer industry substantial sav-  
8 ings in reduced raw material, pollution control, and  
9 liability costs, and help to protect the environment  
10 and reduce risks to worker health and safety.

11 (4) Federal Government estimates indicate that  
12 businesses can reduce their waste generation 33 per-  
13 cent to 50 percent by implementing source reduction  
14 techniques, and private sector studies suggest that  
15 some industry sectors can reduce their waste by up  
16 to 80 percent through the use of such techniques.

17 (5) In most cases, source reduction and energy  
18 efficiency techniques do not require the purchase of  
19 new equipment, but merely a better understanding  
20 of how to use equipment currently available.

21 (6) In fact, one recent study indicated that 25  
22 percent of all source reduction activities require no  
23 capital investment for implementation and, of those  
24 that require capital, 50 percent of the capital ex-

1       penditures were recouped in savings in, on average,  
2       less than 18 months.

3           (7) The private sector must take the lead in re-  
4       ducing the production of waste by manufacturing  
5       companies and, in fact, many large companies have  
6       contracted with consultants or performed internal  
7       audits to find methods for reducing pollution in their  
8       own processes.

9           (8) Source reduction is fundamentally different  
10      from, and more desirable than, waste management  
11      and pollution control and should be promoted by  
12      Federal agencies, particularly the Department of  
13      Commerce in its role in assisting businesses.

14          (9) The Federal Government can assist small-  
15      and medium-sized companies that often are unaware  
16      of the techniques available for pollution prevention  
17      and the possible savings from employing them, and  
18      such Government assistance will help meet the dual  
19      goals of modernizing manufacturing and improving  
20      the environment.

21          (10) The Environmental Protection Agency and  
22      the Department of Energy can provide the Manufac-  
23      turing Technology Centers with technical expertise  
24      in this area.

1           (11) The Environmental Protection Agency has  
2           conducted over 200 source reduction assessments for  
3           manufacturers and the Department of Energy has  
4           conducted over 4,100 energy audits which have  
5           saved companies \$419 million and 77 trillion Btu's  
6           of energy.

7           (12) Assisting small- and medium-sized compa-  
8           nies to reduce the waste products created during the  
9           manufacturing process will reduce the companies'  
10          costs, and thus improve the competitiveness of such  
11          companies, by—

12                   (A) reducing their costs of disposal;

13                   (B) reducing their costs of complying with  
14          environmental regulations;

15                   (C) reducing their raw material costs;

16                   (D) reducing liability costs associated with  
17          transport and disposal; and

18                   (E) assisting these companies in identify-  
19          ing areas where their production processes are  
20          inefficient.

21   **SEC. 3. NATIONAL INSTITUTE OF STANDARDS AND TECH-**  
22                   **NOLOGY.**

23          The Stevenson-Wydler Technology Innovation Act of  
24   1980 (15 U.S.C. 3701 et seq.) is amended by adding at  
25   the end the following new title:

1       **“TITLE III—MANUFACTURING**  
2                   **TECHNOLOGIES**

3   **“SEC. 301. DEFINITIONS.**

4       “As used in this title—

5           “(1)   ADVANCED    MANUFACTURING    TECH-  
6       NOLOGY.—The term ‘advanced manufacturing tech-  
7       nology’ includes—

8           “(A) numerically controlled machine tools,  
9       robots, automated process control equipment,  
10      computerized flexible manufacturing systems,  
11      associated computer software, and other tech-  
12      nology for improving manufacturing and indus-  
13      trial production that advances the state-of-the-  
14      art; and

15          “(B) novel techniques and processes de-  
16      signed to improve manufacturing quality, pro-  
17      ductivity, and practice, and to promote sustain-  
18      able development, including engineering design,  
19      quality assurance, concurrent engineering, con-  
20      tinuous process production technology, energy  
21      efficiency, waste minimization, design for  
22      recyclability or parts reuse, inventory manage-  
23      ment, upgraded worker skills, and communica-  
24      tions with customers and suppliers.

1           “(2) DIRECTOR.—The term ‘Director’ means  
2           the Director of the Institute.

3           “(3) INSTITUTE.—The term ‘Institute’ means  
4           the National Institute of Standards and Technology.

5           “(4) MODERN TECHNOLOGY.—The term ‘mod-  
6           ern technology’ means the best available proven  
7           technology, techniques, and processes appropriate to  
8           enhancing the productivity of manufacturers.

9           “(5) SECRETARY.—The term ‘Secretary’ means  
10          the Secretary of Commerce.

11          “(6) UNDER SECRETARY.—The term ‘Under  
12          Secretary’ means the Under Secretary of Commerce  
13          for Technology.

14          “(7) SOURCE REDUCTION.—The term ‘source  
15          reduction’ has the same meaning as in section 6603  
16          of the Pollution Prevention Act of 1990.

17   **“SEC. 302. TWENTY-FIRST CENTURY MANUFACTURING IN-**  
18                           **FRASTRUCTURE PROGRAM.**

19          “(a) ESTABLISHMENT.—There is established within  
20          the Institute a Twenty-First Century Manufacturing In-  
21          frastructure Program, which shall include—

22               “(1) the Advanced Manufacturing Technology  
23               Development Program established under section  
24               303; and

1           “(2) the National Manufacturing Outreach Pro-  
2           gram established under section 304 and the associ-  
3           ated programs established under sections 25 and 26  
4           of the National Institute of Standards and Tech-  
5           nology Act (15 U.S.C. 278k-l).

6           “(b) PROGRAM FUNDING.—The Secretary, through  
7           the Under Secretary and the Director, may accept the  
8           transfer of funds from any other Federal agency and may  
9           use those funds to implement the Twenty-First Century  
10          Manufacturing Infrastructure Program and support its  
11          activities.

12       **“SEC. 303. ADVANCED MANUFACTURING TECHNOLOGY DE-**  
13               **VELOPMENT PROGRAM.**

14          “(a) PROGRAM DIRECTION.—The Secretary, through  
15          the Under Secretary and the Director, shall establish an  
16          Advanced Manufacturing Technology Development Pro-  
17          gram which shall include advanced manufacturing systems  
18          and networking projects.

19          “(b) PROGRAM GOAL.—The goal of the Advanced  
20          Manufacturing Technology Development Program is to  
21          create collaborative multiyear technology development pro-  
22          grams involving United States industry and, as appro-  
23          priate, other Federal agencies, the States, worker organi-  
24          zations, universities, and other interested persons, in order  
25          to develop, refine, test, and transfer design and manufac-

1 turing technologies and associated applications, including  
2 advanced computer integration and electronic networks.

3 “(c) PROGRAM COMPONENTS.—The Advanced Manu-  
4 facturing Technology Development Program shall in-  
5 clude—

6 “(1) the advanced manufacturing research and  
7 development activities at the Institute; and

8 “(2) one or more technology development  
9 testbeds within the United States, selected in ac-  
10 cordance with procedures, including cost sharing, es-  
11 tablished for the Advanced Technology Program  
12 under section 28 of the National Institute of Stand-  
13 ards and Technology Act (15 U.S.C. 278n), whose  
14 purpose shall be to develop, refine, test, and transfer  
15 advanced manufacturing and networking tech-  
16 nologies and associated applications through a direct  
17 manufacturing process.

18 “(d) ACTIVITIES.—The Advanced Manufacturing  
19 Technology Development Program, under the coordination  
20 of the Secretary, through the Director, shall—

21 “(1) test and, as appropriate, develop the  
22 equipment, computer software, and systems integra-  
23 tion necessary for the successful operation within the  
24 United States of advanced design and manufactur-  
25 ing systems and associated electronic networks;



1           “(2) establish at the Institute and the tech-  
2 nology development testbed or testbeds—

3               “(A) prototype advanced computer-inte-  
4 grated manufacturing systems; and

5               “(B) prototype electronic networks linking  
6 manufacturing systems;

7           “(3) assist industry to develop and implement  
8 voluntary consensus standards relevant to advanced  
9 computer-integrated manufacturing operations, in-  
10 cluding standards for networks, electronic data  
11 interchange, and digital product data specifications;

12           “(4) help to make high-performance computing  
13 and networking technologies an integral part of de-  
14 sign and production processes where appropriate;

15           “(5) conduct research to identify and overcome  
16 technical barriers to the successful and cost-effective  
17 operation of advanced manufacturing systems and  
18 networks;

19           “(6) facilitate industry efforts to develop and  
20 test new applications for manufacturing systems and  
21 networks;

22           “(7) involve in the Advanced Manufacturing  
23 Technology Development Program, to the maximum  
24 extent practicable, both those United States compa-  
25 nies that make manufacturing and computer equip-

1       ment and a broad range of company personnel from  
2       those companies that buy the equipment;

3           “(8) identify training needs, as appropriate, for  
4       company managers, engineers, and employees in the  
5       operation and applications of advanced manufactur-  
6       ing technologies and networks, with a particular em-  
7       phasis on training for production workers in the ef-  
8       fective use of new technologies;

9           “(9) work with private industry, universities,  
10      and other interested parties to develop standards for  
11      the use of advanced computer-based training sys-  
12      tems, including multimedia and interactive learning  
13      technologies;

14          “(10) involve small- and medium-sized manu-  
15      facturers in its activities;

16          “(11) exchange information and personnel, as  
17      appropriate, between the technology development  
18      testbeds and the electronic network created under  
19      this section; and

20          “(12) incorporate and experiment with source  
21      reduction techniques and technologies, through con-  
22      sultation with the Administrator of the Environ-  
23      mental Protection Agency, at the technology testbed  
24      or testbeds.

1       “(e) TESTBED AWARDS.—(1) In selecting applicants  
2 to receive awards under subsection (c)(2) of this section,  
3 the Secretary shall give particular consideration to appli-  
4 cants that have existing computer expertise in the man-  
5 agement of business, product, and process information  
6 such as digital data product and process technologies and  
7 customer-supplier information systems, and the ability to  
8 diffuse such expertise into industry, and that, in the case  
9 of joint research and development ventures, includes both  
10 suppliers and users of advanced manufacturing equip-  
11 ment.

12       “(2) An industry-led joint research and development  
13 venture applying for an award under subsection (c)(2) of  
14 this section may include one or more State research orga-  
15 nizations, universities, independent research organizations  
16 or Regional Centers for the Transfer of Manufacturing  
17 Technology (as created under section 25 of the National  
18 Institute of Standards and Technology Act) and other or-  
19 ganizations as the Secretary considers appropriate.

20       “(f) ADVICE AND ASSISTANCE.—(1) Not later than  
21 6 months after the date of enactment of this title, and  
22 before any request for proposals is issued, the Secretary  
23 shall hold one or more workshops to solicit advice from  
24 United States industry and from other Federal agencies,

1 particularly the Department of Defense, regarding the  
2 specific missions and activities of the testbeds.

3 “(2) The Secretary shall, to the greatest extent pos-  
4 sible, coordinate activities under this section with activities  
5 of other Federal agencies and initiatives relating to com-  
6 puter-aided acquisition and logistics support, electronic  
7 data interchange, flexible computer-integrated manufac-  
8 turing, and enterprise integration.

9 “(3) The Secretary may request and accept funds,  
10 facilities, equipment, or personnel from other Federal  
11 agencies in order to carry out responsibilities under this  
12 section.

13 “(g) APPLICATION OF ANTITRUST LAWS.—Nothing  
14 in this section shall be construed to create any immunity  
15 to any civil or criminal action under any Federal or State  
16 antitrust law, or to alter or restrict in any manner the  
17 applicability of any Federal or State antitrust law.

18 **“SEC. 304. NATIONAL MANUFACTURING OUTREACH PRO-**  
19 **GRAM.**

20 “(a) ESTABLISHMENT AND PURPOSE.—There is  
21 hereby established a National Manufacturing Outreach  
22 Program (hereafter in this section referred to as the ‘Out-  
23 reach Program’). The Secretary, acting through the Under  
24 Secretary and the Director, shall implement and coordi-  
25 nate the Outreach Program in accordance with an initial

1 plan to be prepared and submitted to Congress not later  
2 than 6 months after the date of enactment of this title  
3 and a 5-year plan for the Outreach Program to be submit-  
4 ted to the Congress not later than 12 months after the  
5 date of enactment of this title and to be updated annually.  
6 The purpose of the Outreach Program is to link and  
7 strengthen the Nation’s manufacturing extension centers  
8 and activities in order to assist United States manufactur-  
9 ers, especially small- and medium-sized firms, to expand  
10 and accelerate the use of modern manufacturing practices,  
11 and to accelerate the development and use of advanced  
12 manufacturing technology.

13 “(b) COMPONENTS.—The Outreach Program shall be  
14 a partnership of the Department of Commerce, the States,  
15 the private sector, and, as appropriate, other Federal  
16 agencies to provide a national system of manufacturing  
17 extension centers and technical services to United States  
18 companies, particularly small- and medium-sized manufac-  
19 turers. The Outreach Program shall include the following  
20 components:

21 “(1) Manufacturing Outreach Centers, as pro-  
22 vided for under subsection (c) of this section.

23 “(2) Regional Centers for the Transfer of Man-  
24 ufacturing Technology, as established under section  
25 25 of the National Institute of Standards and Tech-

1 nology Act, and the State Technology Extension  
2 Program, as established under section 26 of the Na-  
3 tional Institute of Standards and Technology Act.

4 “(3) An organization, coordinated and funded  
5 by the Institute, which links and supports Manufac-  
6 turing Outreach Centers and Regional Centers for  
7 the Transfer of Manufacturing Technology, and  
8 which operates the Technology Extension Network  
9 and Clearinghouse established under subsection (d)  
10 of this section.

11 “(4) Such technology and manufacturing exten-  
12 sion centers supported by other Federal departments  
13 and agencies as the Secretary may deem appropriate  
14 for inclusion in the Outreach Program.

15 “(c) MANUFACTURING OUTREACH CENTERS.—(1)  
16 Government and private sector organizations, actively en-  
17 gaged in technology or manufacturing extension activities,  
18 may apply to the Secretary to be designated as Manufac-  
19 turing Outreach Centers. Eligible organizations may in-  
20 clude Federal, State, and local government agencies, their  
21 extension programs, and their laboratories; small business  
22 development centers; and appropriate programs run by  
23 professional societies, worker organizations, industrial or-  
24 ganizations, for-profit or nonprofit organizations, univer-  
25 sities, community colleges, and technical schools and col-

1 leges, including, where appropriate, vendor-supported  
2 demonstrations of production applications.

3 “(2) The Secretary shall establish terms and condi-  
4 tions of participation and may provide financial assistance,  
5 on a cost-shared basis and through competitive, merit-  
6 based review processes, to nonprofit or government par-  
7 ticipants throughout the United States to enable them  
8 to—

9 “(A) join the Outreach Program and dissemi-  
10 nate its technical and information services to United  
11 States manufacturing firms, particularly small- and  
12 medium-sized firms; and

13 “(B) strengthen their efforts to help small- and  
14 medium-sized United States manufacturers to ex-  
15 pand and accelerate the use of modern and advanced  
16 manufacturing practices.

17 “(3) Each Manufacturing Outreach Center shall have  
18 the option of affiliating or not affiliating with one or more  
19 Regional Centers for the Transfer of Manufacturing Tech-  
20 nology. If such a Manufacturing Outreach Center chooses  
21 to make such an affiliation, the Secretary, through the Di-  
22 rector, shall take such steps as appropriate to ensure a  
23 productive working partnership between such center and  
24 the Regional Center or centers with which it affiliates.

1       “(d) DISSEMINATION OF SOURCE REDUCTION AND  
2 ENERGY EFFICIENCY TECHNOLOGIES.—(1) Each Re-  
3 gional Center for the Transfer of Manufacturing Tech-  
4 nology shall designate at least one employee who shall con-  
5 duct or assist in the conducting of energy efficiency and  
6 source reduction assessments of client companies of the  
7 Regional Centers and the Manufacturing Outreach Cen-  
8 ters. These assessments shall assist such client companies  
9 (especially companies in those industries identified by the  
10 Environmental Competitiveness Commission under section  
11 5(d) of the Environmental Competitiveness Act of 1993)  
12 in identifying opportunities for energy efficiency conserva-  
13 tion and source reduction through improvements in manu-  
14 facturing processes or the purchase of new equipment.

15       “(2) In order to facilitate these energy efficiency and  
16 source reduction assessments—

17               “(A) the employees designated under paragraph  
18 (1) shall receive training, at the expense of the De-  
19 partment of Commerce, from the Department of En-  
20 ergy and the Environmental Protection Agency, con-  
21 cerning the conducting of energy efficiency and  
22 source reduction assessments; and

23               “(B) not later than 12 months after the date  
24 of enactment of this section, the Institute, in con-  
25 sultation with the Environmental Protection Agency



1       and the Department of Energy, shall make available  
2       a software assessment package to the Regional Cen-  
3       ters and the Manufacturing Outreach Centers for  
4       the purpose of assisting client companies in identify-  
5       ing opportunities for improved energy efficiency and  
6       source reduction.

7       “(e) TECHNOLOGY EXTENSION COMMUNICATIONS  
8 NETWORK.—The Department of Commerce shall provide  
9 for an instantaneous, interactive communications network  
10 to serve the Outreach Program, to facilitate interaction  
11 among Manufacturing Outreach Centers, Regional Cen-  
12 ters for the Transfer of Manufacturing Technology, and  
13 Federal agencies and to permit the collection and dissemi-  
14 nation in electronic form, in a timely and accurate man-  
15 ner, of information described in subsection (f). Such com-  
16 munications infrastructure shall, wherever practicable,  
17 make use of existing computer networks, databases, and  
18 electronic bulletin boards. Communications infrastructure  
19 arrangements, including user fees and appropriate elec-  
20 tronic access for public and private information suppliers  
21 and users shall be addressed in the 5-year plan prepared  
22 under subsection (a) of this section.

23       “(f) CLEARINGHOUSE.—(1) The Secretary shall de-  
24 velop a clearinghouse system, using the National Institute  
25 of Standards and Technology, the National Technical In-

1 formation Service, and private sector information provid-  
2 ers and carriers where appropriate to—

3 “(A) identify expertise and acquire information,  
4 appropriate to the purpose of the Outreach Program  
5 stated in subsection (a), from all available Federal  
6 sources, and where appropriate from other sources,  
7 providing assistance where necessary in making such  
8 information electronically available and compatible  
9 with the electronic network;

10 “(B) ensure ready access by United States  
11 manufacturers and other interested private sector  
12 parties to the most recent relevant available infor-  
13 mation and expertise; and

14 “(C) inform such manufacturers of the avail-  
15 ability of such information, to the extent practicable.

16 “(2) The clearinghouse shall include information  
17 available electronically on—

18 “(A) activities of Manufacturing Outreach Cen-  
19 ters, Regional Centers for the Transfer of Manufac-  
20 turing Technology, the State Technology Extension  
21 Program, and the users of the electronic network;

22 “(B) domestic and international standards from  
23 the Institute and private sector organizations and  
24 other export promotion information, including con-  
25 formity assessment requirements and procedures;

1           “(C) the Malcolm Baldrige Quality Program,  
2           and quality principles and standards;

3           “(D) manufacturing processes minimizing waste  
4           and negative environmental impact;

5           “(E) federally funded technology development  
6           and transfer programs;

7           “(F) responsibilities assigned to the Clearing-  
8           house for State and Local Initiatives on Productiv-  
9           ity, Technology, and Innovation under section 102;

10          “(G) how to access databases and services; and

11          “(H) other subjects relevant to the ability of  
12          companies to manufacture and sell competitive prod-  
13          ucts throughout the world.

14          “(g) PRINCIPLES.—In carrying out this section, the  
15          Department of Commerce shall take into consideration the  
16          following principles:

17                 “(1) The Outreach Program and the electronic  
18                 network shall be established and operated through  
19                 cooperation and co-funding among Federal, State,  
20                 and local governments, other public and private con-  
21                 tributors, and end users.

22                 “(2) The Outreach Program and the electronic  
23                 network shall utilize and leverage, to the extent  
24                 practicable, existing organizations, databases, elec-  
25                 tronic networks, facilities, and capabilities, and shall

1 be designed to complement rather than supplant  
2 State and local programs.

3 “(3) The Outreach Program should, to the ex-  
4 tent practicable, involve key stakeholders at all levels  
5 in the planning and governance of modernization  
6 strategies; concentrate on assisting local clusters of  
7 firms; promote collaborative learning and cooperative  
8 action among small and large manufacturers; link  
9 industrial modernization programs tightly to existing  
10 and future Federal training initiatives, including  
11 those for youth apprenticeship programs; encourage  
12 small firms to seek modernization services by work-  
13 ing with major manufacturers to strengthen and co-  
14 ordinate their supplier assessment, certification, and  
15 development programs; identify and honor best prac-  
16 tices by firms and the programs that support them;  
17 provide funding based on performance and ensure  
18 rigorous evaluation of extension services; as appro-  
19 priate, coordinate Federal programs that support  
20 manufacturing modernization; and work with Fed-  
21 eral, State, and private organizations so that Out-  
22 reach Centers and Regional Centers for the Transfer  
23 of Manufacturing Technology can provide referrals  
24 to other important business services, such as assist-  
25 ance with financing, training, and exporting.

1           “(4) The Outreach Program shall work with  
2           other Federal agencies, including the Environmental  
3           Protection Agency, to develop training programs and  
4           materials for the employees of the Regional Centers  
5           for the Transfer of Manufacturing Technology and  
6           the Manufacturing Outreach Centers. The purposes  
7           of these training programs and materials shall in-  
8           clude—

9                   “(A) to assure that the centers can provide  
10                  a standard of quality suitable to the purposes  
11                  of the Outreach Program;

12                  “(B) to familiarize employees with industry  
13                  best practices and modernization standards in  
14                  crucial areas, including energy efficiency and  
15                  source reduction; and

16                  “(C) to train employees to perform client  
17                  company assessments in order to identify op-  
18                  portunities for modernization.

19           “(5) The Outreach Program and the electronic  
20           network and communications infrastructure provided  
21           for under subsection (d), shall be subject to all ap-  
22           plicable provisions of law for the protection of trade  
23           secrets and confidential business information.

24           “(6) Local or regional needs should determine  
25           the management structure and staffing of the Manu-

1       facturing Outreach Centers. The Outreach Program  
2       shall strive for geographical balance with the ulti-  
3       mate goal of access for all United States manufac-  
4       turers.

5           “(7) Manufacturing Outreach Centers should  
6       have the capability to deliver outreach services di-  
7       rectly to manufacturers; actively work with, rather  
8       than supplant, the private sector; and to the extent  
9       practicable, maximize the exposure of manufacturers  
10      to demonstrations of modern technologies in use.

11          “(8) Manufacturing Outreach Centers shall  
12      focus, where possible, on the development and de-  
13      ployment of flexible manufacturing practices applica-  
14      ble to both defense and commercial applications.

15          “(9) The Outreach Program shall, in addition  
16      to deploying advanced manufacturing technology,  
17      help client companies identify opportunities for mod-  
18      ernization, including improving source reduction and  
19      energy efficiency techniques and technologies.

20          “(10) The Department of Commerce shall de-  
21      velop mechanisms for—

22           “(A) soliciting the perspectives of manufac-  
23           turers using the services of the Manufacturing  
24           Outreach Centers and Regional Centers for the  
25           Transfer of Manufacturing Technology; and

1                   “(B) evaluating the effectiveness of the  
2                   Manufacturing Outreach Centers.”.

3   **SEC. 4. GRANTS PROGRAM.**

4           (a) IN GENERAL.—The Secretary of Commerce is au-  
5   thorized to award grants to State technology assessment  
6   offices for the purpose of deploying source reduction and  
7   environmental technologies to companies in the States.

8           (b) REGULATION.—The grants awarded pursuant to  
9   subsection (a) shall be in such amounts, and subject to  
10  such conditions and restrictions as the Secretary of Com-  
11  merce shall prescribe by regulation.

12          (c) AUTHORIZATION OF APPROPRIATIONS.—There  
13  are authorized to be appropriated such sums as may be  
14  necessary to carry out the provisions of this section.

15   **SEC. 5. ENVIRONMENTAL COMPETITIVENESS COMMISSION.**

16          (a) ESTABLISHMENT.—There is established a com-  
17  mission to be known as the Environmental Competitive-  
18  ness Commission (hereafter in this Act referred to as the  
19  “Commission”).

20          (b) MEMBERSHIP.—

21               (1) COMPOSITION.—The Commission shall be  
22   composed of 9 members which shall include the fol-  
23   lowing:

24                       (A) Three representatives of the Environ-  
25                       mental Protection Agency.

1 (B) Two representatives of the Department  
2 of Commerce.

3 (C) Two individuals appointed by the Ad-  
4 ministrator from among representatives of the  
5 United States environmental technology indus-  
6 try.

7 (D) Two individuals appointed by the Ad-  
8 ministrator from among representatives of non-  
9 profit, consumer protection, or environmental  
10 conservation organizations.

11 (2) APPOINTMENT.—The members of the Com-  
12 mission shall be appointed by the Administrator of  
13 the Environmental Protection Agency (hereafter in  
14 this Act referred to as the “Administrator”) not  
15 later than 30 days after the date of enactment of  
16 this Act.

17 (3) CHAIRPERSON.—The Administrator shall  
18 designate one member of the Commission to serve as  
19 the Chairperson of the Commission.

20 (4) PERIOD OF APPOINTMENT; VACANCIES.—  
21 Members shall be appointed for the life of the Com-  
22 mission. Any vacancy in the Commission shall not  
23 affect its powers but shall be filled in the same man-  
24 ner as the original appointment.

25 (c) MEETINGS.—



1           (1) IN GENERAL.—The Commission shall meet  
2           at the call of the Chairperson.

3           (2) INITIAL MEETING.—Not later than 30 days  
4           after the date on which all members of the Commis-  
5           sion have been appointed, the Commission shall hold  
6           its first meeting.

7           (3) OPEN MEETINGS.—The meetings of the  
8           Commission shall be open to the public and timely  
9           public notice shall be provided in advance of each  
10          regular meeting of the Commission.

11          (d) DUTIES OF THE COMMISSION.—The Commission  
12          shall—

13               (1) identify the 10 small business industries  
14               that would benefit the most from source reduction  
15               technical assistance provided by the Federal Govern-  
16               ment; and

17               (2) submit a list of the 10 industries identified  
18               in paragraph (1) to the Administrator, the Secretary  
19               of Commerce, and the Congress not later than 6  
20               months after the date on which all members of the  
21               Commission have been appointed by the Adminis-  
22               trator under subsection (b)(2).

23          (e) STAFF AND ADMINISTRATION.—

24               (1) SUPPORT SERVICES.—The Administrator  
25               shall provide to the Commission such administrative

1 and technical support services as are necessary for  
2 the effective functioning of the Commission.

3 (2) OTHER SUPPORT.—The Administrator of  
4 General Services shall furnish the Commission with  
5 such offices, equipment, supplies, and services as the  
6 Administrator of General Services is authorized to  
7 furnish to any other agency or instrumentality of the  
8 United States.

9 (3) COMPENSATION OF MEMBERS.—Each mem-  
10 ber of the Commission who is not an officer or em-  
11 ployee of the Federal Government shall be com-  
12 pensated at a rate equal to the daily equivalent of  
13 the annual rate of basic pay prescribed for level IV  
14 of the Executive Schedule under section 5315 of title  
15 5, United States Code, for each day (including travel  
16 time) during which such member is engaged in the  
17 performance of the duties of the Commission. All  
18 members of the Commission who are officers or em-  
19 ployees of the United States shall serve without com-  
20 pensation in addition to that received for their serv-  
21 ices as officers or employees of the United States.

22 (4) TRAVEL EXPENSES.—The members of the  
23 Commission shall be allowed travel expenses, includ-  
24 ing per diem in lieu of subsistence, at rates author-  
25 ized for employees of agencies under subchapter I of

1 chapter 57 of title 5, United States Code, while  
2 away from their homes or regular places of business  
3 in the performance of services for the Commission.

4 (f) POWERS OF THE COMMISSION.—

5 (1) HEARINGS.—The Commission may hold  
6 such hearings, sit and act at such times and places,  
7 take such testimony, and receive such evidence as  
8 the Commission considers advisable to carry out the  
9 purposes of this Act.

10 (2) INFORMATION FROM FEDERAL AGENCIES.—  
11 The Commission may secure directly from any Fed-  
12 eral department or agency such information as the  
13 Commission considers necessary to carry out the  
14 provisions of this Act. Upon request of the Chair-  
15 person of the Commission, the head of such depart-  
16 ment or agency shall furnish such information to the  
17 Commission.

18 (3) POSTAL SERVICES.—The Commission may  
19 use the United States mails in the same manner and  
20 under the same conditions as other departments and  
21 agencies of the Federal Government.

22 (4) GIFTS.—The Commission may accept, use,  
23 and dispose of gifts or donations of services or prop-  
24 erty.

1       (g) SUNSET.—The Commission shall terminate 30  
2   days after the date on which the Commission submits its  
3   list under subsection (d).

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